

Remarks

Applicant respectfully requests that the Office reconsider the rejection of Claims 1, 3-6, 10-16 and 18-22. The remarks made in support of the rejection fail to even mention the further limitations of dependent Claims 2 and 3 or the sheet separator limitations of independent Claims 10-11, 16, 18-20 and 22. The Office, therefore, has plainly failed to establish a prima facie case of anticipation as to those claims. Also, the Office still has not specifically addressed distinguishing limitations in Claim 1.

Allowable Subject Matter. Claim 23 has been allowed. Claims 17 and 24-25 would be allowable if rewritten in independent form including all of the limitations of the base claim. For the reasons detailed below, the rejection of the base claim (Claim 16) should be withdrawn. Therefore, Applicant elects not to amend Claims 17 and 24-25.

Claim 1 – Impeding Sheets Fed From The Stack. Claim 1 recites that the movable pad in the first position "impedes a leading edge of sheets fed from the stack along the media path...." The Office still has not made any showing the Teo teaches the movable pad of Claim 1. In fact, Teo's kicker 203 does not anticipate the movable pad of Claim 1. The compound kicker 203 in Teo is not designed to nor does it impede the leading edge of sheets fed from the stack along the media path. Rather, kicker 203 is rotated out of the way so as not to impede the leading edge of a sheet fed from the stack as can be seen by comparing the position of kicker 203 in Teo Figs. 4A-4C. After a sheet is fed from the stack, kicker 203 rotates up to block the leading edge of any next-to-top sheets that may have been pulled in to the separator 105 and to move them back into the stack. Teo, column 5, lines 29-64.

Separator 105 in Teo is the only impediment to the leading edge of top sheet 111 fed along the media path. Teo does not teach that kicker 203 impedes the leading edge of top sheet 111 or any next-to-top sheets as they are fed along the media path. On the contrary, Teo teaches moving kicker 203 out of the way so that it does not impede the leading edge of top sheet 111 or any next-to-top sheets dragged along with top sheet 111 as they are fed along the media path. Kicker 203 remains in the depressed/feeding position until after the pick roller has disengaged top sheet 111. At that point, next-to-top sheets 117 cannot in any way be deemed to

be sheets fed along a media path. If the Office disagrees, it is respectfully requested to specifically point out **and explain** which features in Teo and in which positions meet the limitation in Claim 1 that the movable pad impedes a leading edge of sheets fed from the stack along the media path. Absent such a showing, the rejection of Claim 1 should be withdrawn.

Claim 2 – Elastomeric Contact Surface. Claim 2 depends from Claim 1 and adds the further limitation that a contact surface of each pad comprises the same elastomeric material. Kicker 203 in Teo is made from a Mylar™ film and a rigid molded polycarbonate. Neither material is elastomeric and, in any event, there is no teaching in Teo that separator 105 has a contact surface made of either of these materials. The Office has not, as yet, made any showing or even presented any argument that Teo teaches the further limitation of Claim 2. Claim 2 should be allowed.

Claim 3 – Substantially Vertical Supporting Surface. Claim 3 depends from Claim 1 and adds the further limitation that the sheet supporting surface comprises a substantially vertical surface, Teo teaches a supporting surface that is not substantially vertical. "Substantially vertical" is specially defined in paragraph 0010 of the Specification as within 5 degrees of true vertical. The supporting surface in Teo is 20 degrees off true vertical (as measured with a protractor laid on Fig. 4a). The Office has not, as yet, made any showing or even presented any argument that Teo teaches the further limitation of Claim 3. Claim 3 should be allowed.

Claims 10-11, 16, 18-20 and 22 – Sheet Separator. Claims 10, 16, 19 and 22 recite movable and stationary sheet separator pads. Claims 11, 18 and 20 recite a movable feature configured to separate a top sheet from a next-to-top sheet. Claim 21 recites a movable means for separating a top sheet from a next-to-top sheet. Separator 105 in Teo is stationary. Kicker 203 in Teo is not a sheet separator pad and the Office makes no specific assertion to the contrary. The Office has not, as yet, made any showing or even presented any argument that Teo teaches these limitations in Claims 10-11, 16, 18-20 and 22. Claims 10-11, 16, 18-20 and 22 should be allowed.

The foregoing is believed to be a complete response to the outstanding Office
Action.

Respectfully submitted,



Steven R. Ormiston
Attorney for Applicants
Registration No. 35,974
(208) 433-1991 x204